

Application Serial No.: 10/553,563
Attorney Docket No.: 26281-11A

Examiner: M. Moore
Art Unit: 1796

REMARKS

Claims 1-4 and 6-7 are currently pending in the instant application. Claim 1 has been amended and claims 5 and 8-12 have been canceled.

Applicant notes with appreciation the indication by Examiner that claim 4 is objected to as being dependent upon a rejected base claims but would be allowable if rewritten in independent form.

Claims 8-12 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicant has canceled claims 8-12 and therefore this rejection is believed to be moot.

Claims 1-3, 6, 7 and 10-12 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by DE 199 05 697 (hereinafter "DE 697").

Applicant has amended claim 1 to recite the features of preparing a fuel gas by adding an amount of an alcohol compound to a silicon-containing compound having a particular flash point and boiling point, which feature was previously contained in claim 5. In addition, as noted above, claims 5 and 8-12 have been canceled.

Applicant respectfully submits that DE 697 does not describe or suggest the feature of adding the alcohol compound to the silicon-containing compound. Therefore, it is impossible to obtain the effects of the present invention such as adjusting the flash point and the boiling point of the silicon-containing compound using the teachings of DE 697 and it cannot be shown that DE 697 describes or suggests all of the features of the claimed invention. Reconsideration and withdrawal of the rejection of claims 1-3, 6 and 7 as being anticipated by DE 697 is respectfully requested.

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Claims 1-3 and 5-12 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Strobel, alone or in combination with DE 697.

The Examiner has asserted that Strobel describes a process of flame treating a substrate to improve adhesion. The Examiner further asserts that Strobel describes an oxidizer compound and that at column 2, line 20, generally teaches various compounds that are known in the art to function as oxidizers when forming silicon based coatings and that from this, one having ordinary skill in the art would have been motivated to use alcohol as an operable oxidizer in the method of Strobel.

Applicant respectfully disagrees.

Firstly, Applicant respectfully submits that the oxidizer typically means oxygen and air, etc., not an alcohol compound. Applicant is unaware of any application in which an alcohol compound performs as the oxidizer in the fuel in the manner described and claimed in the present invention.

Applicant respectfully submits that contrary to the assertions of the Examiner, Strobel does not disclose that oxygen may be used as an oxidizer. Instead, Strobel discloses the use of air as the oxidizer (col. 1, lines 52-54) and only discloses the use of alcohol in the context of a corona process. Strobel explains that because the silicon oxide deposition corona process cannot operate in an open atmosphere of air and requires controlled amounts of an oxygen containing gas to controllably decompose a silicon containing gas. Thus, unlike in the present invention where a fuel gas is prepared by adding an alcohol to a silicon-containing compound, Strobel only discloses the use of an alcohol to provide the necessary environment for the controlled deposition of a silicon containing gas and does not describe or suggest a fuel gas that is prepared by adding an alcohol to a silicon-containing compound as in the presently claimed invention.

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Therefore, Strobel does not describe or suggest adding the alcohol compound to the silicon-containing compound and it is thus impossible to obtain the effects such as adjusting the flash point and the boiling point of the silicon-containing compound described and claimed in the present invention. Furthermore, it is impossible to obtain the flame color change effects as described in the specification to confirm complete burning together with the silicon-containing compound described by Strobel.

Because neither Strobel nor DE 697 describes or suggests a fuel gas that is prepared by adding an alcohol to a silicon-containing compound, neither reference, alone or in combination, describes or suggests all of the features of the claimed invention and notice to that effect is earnestly solicited. Reconsideration and withdrawal of the rejection of claims 1-3 and 6-7 as being unpatentable over Strobel alone or in combination with DE 697 is respectfully requested.

Finally with regards to the provisional double patenting rejection, Applicant respectfully submits that the claimed invention, as presently amended is patentably distinct from copending application Serial No. 11/795,401. Therefore, reconsideration and withdrawal of the rejection of claims 1-3 and 6-7 as being unpatentable on the grounds of obviousness-type double patenting is respectfully requested.

CONCLUSION

Applicant believes that the foregoing is a full and complete response to the Office action of record. Accordingly, an early and favorable reconsideration of the rejection of the claims is requested. Applicants believe that claims 1-4 and 6-7 are now in condition for allowance and an indication of allowability and an early Notice of Allowance of all of the claims is respectfully requested.

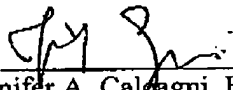
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If Examiner feels that a telephonic interview would be helpful, she is requested to call the undersigned at (203) 575-2648 prior to issuance of the next Office action.

Respectfully submitted,

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